



Entered on Docket  
September 09, 2010

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for Credit Suisse AG, Cayman Islands Branch*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC,  
aka "Rhodes Homes," et al.,

Debtors.<sup>1</sup>

Case No. 09-14814-LBR (Jointly Administered)  
Chapter 11

**ORDER GRANTING MOTION TO  
APPROVE STIPULATION RESOLVING  
MOTION TO COMPEL REIMBURSEMENT  
OF FEES AND EXPENSES PURSUANT TO  
CONFIRMATION ORDER AND CASH  
COLLATERAL ORDER**

Hearing Date: August 24, 2010  
Hearing Time: 1:30 p.m.  
Judge: Honorable Linda B. Riegle

Affects: All Debtors

<sup>1</sup> The debtors in these cases, along with their case numbers, were Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, a Nevada limited partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C&J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, LLC (Case No. 09-14882); Tuscany Golf Country Club (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

**ORDER GRANTING MOTION TO APPROVE STIPULATION RESOLVING MOTION TO  
COMPEL REIMBURSEMENT OF FEES AND EXPENSES PURSUANT TO CONFIRMATION  
ORDER AND CASH COLLATERAL ORDER**

On August 24, 2010, the Court held a hearing (the "Hearing") on the Motion to Approve Stipulation Resolving Motion to Compel Reimbursement of Fees and Expenses Pursuant to Confirmation Order and Cash Collateral Order [Docket No. 1224] (the "Motion").<sup>2</sup> The Court has considered the Motion, any pleadings and papers filed in support of or in response to the Motion, and the arguments of counsel at the Hearing. It appears that due and sufficient notice of the Motion has been provided and that no other or further notice is or shall be required. After due deliberation and good cause shown,

**IT IS HEREBY ORDERED** as follows:

1. The Motion is granted and the Stipulation is approved.
2. Within three (3) business days after entry of this order, the Reorganized Debtors shall pay \$700,000.00 to Skadden (the "Payment"). The Payment shall be in full and final satisfaction of the Skadden Amount. Credit Suisse shall not seek reimbursement from the Reorganized Debtors or any other party on account of any Skadden fees and expenses incurred from May 1, 2010, through July 19, 2010.

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

1           3.       Notwithstanding any stay that might be imposed by Federal Rule of Bankruptcy  
2 Procedure 6004(h) or otherwise, this order shall be effective and enforceable immediately upon  
3 entry hereof.

4           IT IS SO ORDERED.

5  
6 Respectfully Submitted by:

7  
8 By \_\_\_\_\_

**SYLVESTER & POLEDNAK, LTD.**

Jeffrey R. Sylvester, Esq. (NV Bar # 4396)

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10 and

**SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP**

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*Attorneys for Creditor Credit Suisse,*

*Cayman Islands Branch*



**ALTERNATIVE METHOD re: RULE 9021:**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- ☐ The court has waived the requirement set forth in LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Philip C. Dublin, Esq., AKIN GUMP STRAUSS HAUER & FELD LLP  
*Submitted for approval on 8/26/10; Failed to Respond*

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Submitted by:

By

**SYLVESTER & POLEDNAK, LTD.**

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and

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